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UNITED NATIONS

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Economic and Social Council

Distr.
GENERAL

E/CN.4/Sub.2/AC.4/1993/2
8 June 1993

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Working Group on Indigenous Populations
Eleventh session
19-30 July 1993
Item 4 of the provisional agenda

STANDARD-SETTING ACTIVITIES: EVOLUTION OF STANDARDS CONCERNING THE RIGHTS OF INDIGENOUS POPULATIONS

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GE.93-14018 (E)

Introduction

1. By its resolution 1982/34 of 7 May 1982, the Economic and Social Council authorized the Sub-Commission on Prevention of Discrimination and Protection of Minorities to establish annually a working group on indigenous populations to review developments pertaining to the promotion and protection of the human rights and fundamental freedoms of indigenous populations, including information requested by the Secretary-General annually, and to give special attention to the evolution of standards concerning the rights of indigenous populations.

2. The Sub-Commission, in its resolution 1992/33 of 27 August 1992, requested the Secretary-General to transmit the report of the Working Group on its tenth session (E/CN.4/Sub.2/1992/33) to intergovernmental organizations for specific comments and suggestions for the completion of the second reading of the text of the draft declaration on the rights of indigenous peoples (E/CN.4/Sub.2/1992/33, annex I) at the eleventh session of the Working Group. The Commission on Human Rights endorsed this request in its resolution 1993/31 of 5 March 1993. In accordance with these resolutions, appropriate communications were sent to intergovernmental organizations. The present document contains replies received as of 1 June 1993. Further replies, if any, will be included in addenda to this document.

Information received from specialized agencies

United Nations Development Programme

[27 April 1993]
[Original: English]

1. The Working Group may consider including in the declaration recommendations made at the United Nations Conference on Environment and Development, in Agenda 21 and the Rio Declaration on Environment and Development.

2. Recommendations in these documents that are not explicitly covered by the draft declaration include:

(a) The establishment of a process to empower indigenous people and their communities through, among other measures, the development and strengthening of national dispute-resolution arrangements in relation to settlement of land and resource-management concerns (Agenda 21, chap. 26, para. 26.3);

(b) The establishment, of arrangements to strengthen the active participation of indigenous people and their communities in the national formulation of policies, laws and programmes relating to resource management and other development processes that may affect them, and their initiation of proposals for such policies and programmes (Agenda 21, chap. 26, para. 26.3);

(c) The establishment by Governments, in full partnership with indigenous people and their communities, of national arrangements to consult

with indigenous people and their communities with a view to reflecting their needs and incorporating their values and traditional and other knowledge and practices in national policies and programmes in the field of natural resource management and conservation and other development programmes affecting them (Agenda 21, chap. 26, para. 26.6).

World Health Organization

[24 May 1993]
[Original: English]

1. Operative paragraphs 23, 24, 27 of the draft declaration deal with the right to determine, plan and implement health programmes, to traditional medicines and health practices and to autonomy in health affairs; operative paragraph 11 provides for access to education. There is, however, no provision for access to health services, including those in the event of catastrophe, emergency, civil strife, etc.

2. It might, therefore, be in order to include an additional operative paragraph along the following lines:

> "Indigenous peoples have the right to access to all levels and forms of health services and the right to health development. Health is a fundamental human right, inseparable from individual liberties, and from the right to development. Indigenous communities, families and individuals have the right to complete physical, mental and social well-being in a spirit of equity and social justice."